

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	4:02CR3033
)	
Plaintiff,)	
)	
vs.)	MEMORANDUM
)	AND ORDER
SCOTT MICHAEL MILLER, SR.,)	
)	
Defendant.)	

This matter comes on to consider the government's request for hearing on Rule 35(b) motion. Having considered the matter,

IT IS ORDERED that:

(1) The government's request for hearing on Rule 35(b) motion (filing 62) is granted.

(2) A hearing on the government's motion for reduction of sentence pursuant to Rule 35(b) (filing 59) has been set before the undersigned United States district judge at 4:30 p.m., Wednesday, July 13, 2005, in Courtroom No. 1, Robert V. Denney Federal Building and Courthouse, Lincoln, Nebraska.

(3) At the request of the defendant through his counsel, and with the agreement of the government, the defendant may be absent from the hearing on the Rule 35 motion.

(4) The Marshal is directed not to return the defendant to the district.

(5) The defendant is held to have waived his right to be present.

July 11, 2005.

BY THE COURT:

s/ Richard G. Kopf
United States District Judge